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8

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 ROBERT JACKSON

12 Plaintiff,
v.

13 STATE OF NEVADA, et al.,

14 Defendant(s).

Case No.: 2:16-CV-00995-APG-NJK

15 **STIPULATION AND
ORDER TO EXTEND TIME TO
CONFER ON APPROPRIATE
INJUNCTIVE RELIEF
(FOURTH REQUEST)**

17 Plaintiff Robert Jackson ("Mr. Jackson"), by and through his undersigned counsel,
18 and remaining Defendants Jennifer Nash and Brian Williams (in their official capacities),
19 ("Defendants"), by and through their undersigned counsel, hereby stipulate and agree to
20 extend the time to confer about the appropriate injunctive relief, as ordered in the Order
21 (1) Granting in Part Defendants' Motion for Summary Judgment and (2) Granting in Part
22 Plaintiff's Motion for Summary Judgment ("Order"). (ECF No. 104) The Court entered the
23 Parties' Stipulation and Order to Extend Time to Confer on Appropriate Relief on
24 December 20, 2019 (ECF No. 108), the Stipulation and Order to Extend Time to Confer on
25 Appropriate Injunctive Relief (Second Request) on January 24, 2020 (ECF No. 114), and
26 Stipulation and Order to Extend Time to Confer on Appropriate Injunctive Relief (Third
27 Request) on March 10, 2020 (ECF No. 117).
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1 Since this Court extended the time to confer about injunctive relief on March 10,
2 2020, prison staff have begun to implement a temporary vegan menu for Plaintiff at High
3 Desert State Prison approved by a certified dietitian and provided Plaintiff with nutritional
4 information concerning the temporary menu. As of the date of this filing, the temporary
5 vegan diet for Mr. Jackson has been implemented. Prison staff continue to work toward a
6 more permanent vegan menu for Mr. Jackson, with new vegan food items. That permanent
7 vegan option will be implemented as soon as possible, with the next fiscal quarter, which
8 begins in July of 2020, being the target date.

9 Counsel for the parties were able to have a meet and confer regarding the injunctive
10 relief and timeline on Tuesday, May 12, 2020. In addition, counsel have been exchanging
11 emails since that date in continued meet and confer discussions. Mr. Jackson's counsel was
12 also able to have an attorney-client phone call on or about Tuesday, May 19, 2020 about
13 the scope of the injunction and the recent implementation of the certified vegan diet.
14 Defendants' counsel also participated in a phone conference on Tuesday, May 19, 2020 with
15 relevant NDOC staff in order to discuss the groundwork for implementing the more
16 permanent vegan diet for Mr. Jackson.

17 The parties in good faith believe that providing additional time for the parties to
18 continue to meet and confer on the scope of Mr. Jackson's vegan diet will hopefully result
19 in the resolution of the injunctive relief portion of this lawsuit. The ongoing complications
20 associated with coronavirus and staffing changes at the Office of the Attorney General have
21 caused delays. The parties need additional time to finalize plans concerning the permanent
22 vegan menu, to complete the mediation process, and allow Mr. Jackson sufficient time to
23 consider the sufficiency of the permanent vegan menu. Counsel for the parties are
24 optimistic and believe that, with additional time and discussion, an agreement may be met.
25 The parties anticipate that this will be the final request for an extension.

26 In addition to the continued discussions regarding the scope of injunctive relief, the
27 parties have participated in an ongoing Ninth Circuit mediation proceeding in an effort to
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1 resolve this matter. The parties are hopeful that the continued mediation efforts at the
2 Ninth Circuit would resolve the remaining aspects of this case.

3 Accordingly, the parties respectfully request that the current deadlines set forth in
4 the Order be extended approximately sixty (60) days as follows:

5 Deadline for the parties to confer about the appropriate injunctive relief: July 7,
6 2020;

7 Deadline for Jackson to submit a brief with the proposed relief in the event parties
8 cannot agree: July 28, 2020;

9 Deadline for remaining Defendants to submit their response: August 18, 2020.
10

11 DATED this 20th day of May, 2020

12 DATED this 20th day of May, 2020

13 By: /s/ Emily A. Buchwald
14 Emily A. Buchwald, Esq.
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16 Attorney for Plaintiff Robert Jackson

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18 Attorney for Defendants Jennifer Nash
and Brian Williams

19 IT IS SO ORDERED.
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21

22 UNITED STATES DISTRICT JUDGE

23 DATED: May 26, 2020